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Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Lake Region Office Supply, Inc.

File: B-243934

Date: May 22, 1991

John K. Grier for the protester.
Paula A. Williams, Esq., Office of the General Counsel, GAO,
participated in the preparation of this decision.

DIGEST

Protest that cancellation of solicitation is improper is dismissed where the decision to cancel is based on the anticipated closure of the Air Force Base at which the services being solicited were to be provided, which involves a matter of executive policy that is not for resolution through the bid protest process.

DECISION

Lake Region Office Supply, Inc., protests the cancellation of request for proposals (RFP) No. F05600-91-R-0054, issued by the Department of the Air Force for the establishment of a service store at Lowry Air Force Base, Colorado. The Air Force canceled the solicitation because of the anticipated closure of Lowry AFB.

We dismiss the protest without obtaining an agency report.

Lake Region contends it was improper for the Air Force to cancel the solicitation after receipt of a proposal only from Lake Region. The protester asserts that canceling the solicitation constitutes an inappropriate basis to avoid awarding Lake Region the contract because the base closure has not yet been approved by the Defense Base Closure and Realignment Commission. Lake Region seeks award of the contract as the sole responsible offeror and payment of its proposal preparation and bid protest costs.

The decision to cancel the solicitation is based on the agency's determination to close Lowry AFB, which involves a

matter of executive branch policy that is not for resolution under our bid protest function. See Travenol Laboratories, Inc., B-215739; B-216961, Jan. 29, 1985, 85-1 CPD ¶ 114. Similarly, the question of whether the agency has complied with its internal procedure in finalizing the base closure determination is a matter of executive policy to be resolved by the agency, and which is inappropriate for resolution through the bid protest process. See True Mach. Co., B-215885, Jan. 4, 1985, 85-1 CPD ¶ 18.

The protest is dismissed.

A handwritten signature in cursive script, reading "Paul Lieberman", followed by a horizontal line.

Paul Lieberman
Assistant General Counsel